

The Telegraph

It's Your Community.

This is a printer friendly version of an article from **www.nashuatelegraph.com**

To print this article if a print dialogue does not open automatically, open the File menu and choose Print.

[Back](#)

Published: Wednesday, February 4, 2015

Merrimack Town Council holds special meeting to answer pipeline questions

By *TINA FORBES*

Staff Writer

MERRIMACK – Responding to growing concerns, the Merrimack Town Council hosted a work session last week with the sole purpose of sharing information on a natural gas pipeline that could potentially run through town as early as 2016.

The council reviewed actions taken by town officials on the project so far, what they plan to do next, and where residents can go to find more information.

The [Northeast Energy Direct Project](#) would construct a natural gas pipeline though more than four miles of Merrimack, impacting 61 landowners, cutting through Gilmore Hill Memorial Forest and Horse Hill Nature Preserve. In exchange, the project is expected to give the town an estimated \$538,306 in annual property tax payments. The Tennessee Gas Pipeline Company, a subsidiary of Kinder Morgan, is developing the Northeast Energy Direct Project.

Leading the presentation, the council's vice chair Thomas Mahon said all of the council's work and town correspondence with Kinder Morgan is [available online](#) or at Town Hall. Mahon said the project has a long time frame.

"This is going to take two years, maybe three before this whole thing gets resolved. So it's not a sprint, it's a long haul," he said.

The project is now in the pre-filing stage with the Federal Energy Regulatory Commission, the agency which ultimately decides the fate of the project.

Because the process only began in September, the council asked FERC for an extension on the public comment period, which is set to end March 18. If residents want to contact the Federal Energy Regulatory Commission directly, the docket number for the project is PF 14-22-000.

The council also requested a public forum with Kinder Morgan representatives. The company responded that a meeting will likely take place in March, but has not set a date.

Town officials have a designated email address for pipeline comments, kmpipeline@merrimacknh.gov. Any correspondence will be considered public record.

A big question last week was about eminent domain as it pertains to both construction and the survey of land. If Kinder Morgan gets "certificate of necessity" from FERC, it can survey properties on the proposed pipeline route, including Horse Hill Nature Preserve, with or without town's permission.

FERC will make the final decision, and may or may not take into account what New Hampshire committees have to say, said Mahon.

"All of this is preempted by federal law. This is an administrative process, it's not a judicial process. There are no rules of evidence on this," said Mahon.

Donald Minor of Merrimack said Kinder Morgan has already sent a survey crew to his home at Peasley Road without his express permission. "If you ignore the problem or don't act, they take that as a 'yes.' No action is acceptance."

He said Kinder Morgan personnel showed up at his home the day of the council meeting, last Thursday, Jan. 29. "Today, ironically, I've not given permission one way or the other when ... there was a survey crew on the snowbanks on my front yard," he said.

"They're going to kind of do what they want to do. Other people should beware, and wary. I would caution the Merrimack council ... you shouldn't let them survey the town property. You have more leverage than you think at this point in time."

Kinder Morgan operates about 50 miles of gas pipeline in New Hampshire and the current proposed route, the company's second try for this project, enters the state in Cheshire County and heads east into Hillsborough County, going through Greenville, Mason, Brookline, Milford, Amherst, Merrimack, Hudson and Litchfield, and Londonderry before heading to Dracut, Mass. to meet with a compression station.

The previous route would have affected Hollis, including Beaver Brook, but the plan was nixed following opposition from residents and officials.

Tina Forbes can be reached at 594-6402, tforbes@nashuatelegraph.com or @Telegraph_TinaF.

© 2014, The Telegraph, Nashua, New Hampshire